



Atty. Docket No.: 022041-001420US
Client Reference No.: _____

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.27) - SMALL BUSINESS CONCERN

Applicant or Patentee: Mark G. Erlander, et al.

Title: PREDICTING BREAST CANCER TREATMENT OUTCOME

- ☐ the specification filed herewith.
☐ Application No. 10/773,761, filed February 6, 2004.
☐ Patent No. _____, issued _____.

I hereby declare that I am:

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Small Business Concern: Arcturus Bioscience, Inc.

Address of Small Business Concern: _____

400 Logue Avenue
Mountain View, CA 94043-4019

I hereby declare that the above-identified small business concern qualifies as a "small business concern" as defined in 13 CFR part 121, for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

Further Assignment

- ☐ I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described above.
- ☒ Verified statements by all entities to whom rights to the invention have been transferred, or to whom there is an obligation to transfer rights, are attached hereto.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.27(g)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: Thomas M. Baer

Title of Person if Other than Owner: CEO/Chairman

Address of Person Signing: _____

400 Logue Avenue
Mountain View, CA 94043-4019

Signature

Date

9-1-04

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.27) - SMALL BUSINESS CONCERN**

Applicant or Patentee: Mark G. Erlander, et al.

Title: PREDICTING BREAST CANCER TREATMENT OUTCOME

- ☐ the specification filed herewith.
☐ Application No. 10/773,761, filed February 6, 2004.
☐ Patent No. _____, issued _____.

I hereby declare that I am:

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Small Business Concern: The General Hospital Corporation

Address of Small Business Concern: 55 Fruit Street
Boston, MA 02114

I hereby declare that the above-identified small business concern qualifies as a "small business concern" as defined in 13 CFR part 121, for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

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Name of Person Signing: _____

Title of Person if Other than Owner: _____

Address of Person Signing: 55 Fruit Street
Boston, MA 02114

Signature



Date

6/4/04

**DECLARATION**

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **PREDICTING BREAST CANCER TREATMENT OUTCOME** the specification of which _____ is attached hereto or X was filed on February 6, 2004 as Application No. 10/773,761 and was amended on _____ (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date
60/504,087	09/19/2003

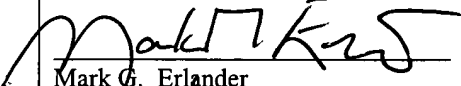

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status
10/727,100	12/02/2003	Pending

Full Name of Inventor 1:	Last Name: ERLANDER	First Name: MARK	Middle Name or Initial: G.	
Residence & Citizenship:	City: Encinitas	State/Foreign Country: California	Country of Citizenship: United States	
Post Office Address:	Post Office Address: 442 Hillcrest Drive	City: Encinitas	State/Country: California	Postal Code: 92024
Full Name of Inventor 2:	Last Name: MA	First Name: XIAO-JUN	Middle Name or Initial:	
Residence & Citizenship:	City: San Diego	State/Foreign Country: California	Country of Citizenship: United States	
Post Office Address:	Post Office Address: 4482 Calle Mar De Armonia	City: San Diego	State/Country: California	Postal Code: 92130

Full Name of Inventor 3:	Last Name: SGROI	First Name: DENNIS	Middle Name or Initial: C.	
Residence & Citizenship:	City: Winchester	State/Foreign Country: Massachusetts	Country of Citizenship: United States	
Post Office Address:	Post Office Address: 331 Main Street	City: Winchester	State/Country: Massachusetts	Postal Code: 01890

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

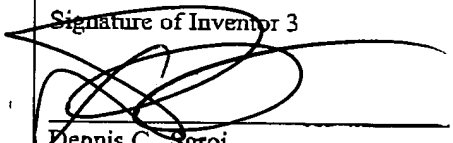
Signature of Inventor 1  Mark G. Erlander Date 9/1/04	Signature of Inventor 2  Xiao-Jun Ma Date 9-1-04	Signature of Inventor 3 Dennis C. Sgroi Date
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Attorney Docket No.: 022041-001420US

Full Name of Inventor 3:	Last Name: SGROI	First Name: DENNIS	Middle Name or Initial: C.	
Residence & Citizenship:	City: Winchester	State/Foreign Country: Massachusetts	Country of Citizenship: United States	
Post Office Address:	Post Office Address: 331 Main Street	City: Winchester	State/Country: Massachusett s	Postal Code: 01890

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1 _____ Mark G. Erlander Date	Signature of Inventor 2 _____ Xiao-Jun Ma Date	Signature of Inventor 3  _____ Dennis C. Sgroi Date 6/15/04
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